

Remarks

The Applicants note with appreciation the withdrawal of the 35 U.S.C. §103 rejection over Damme. The Applicants also acknowledge the withdrawal of the allowability of Claim 6 over the newly discovered Barzynski reference.

The Applicants have amended Claims 2 and 11 in accordance with the Examiner's helpful suggestion concerning the "substantially consisting of" language. That language has been removed in favor of "containing at least one of." This language was present in original Claim 7. Withdrawal of the 35 U.S.C. §112 rejection is respectfully requested.

The Applicants acknowledge the rejection of Claims 2 – 5 and 10 – 11 under 35 U.S.C. §102 over JP '670. The Applicants respectfully submit that JP '670 is not prior art for all of the rejected claims. In that regard, the Applicants note that JP '670 was first published on December 24, 1999. That date is later than the Applicants' priority date of December 9, 1999, based on the Applicants' priority document JP 11/350793. The Applicants enclose a partial English translation of JP '793 to demonstrate support for Claims 3, 5, 10 and 11. A full translation will be submitted as soon as it is available.

The English translation demonstrates that the photocoloring layer comprises two layers. The Applicants have accordingly amended Claim 3 to recite that the photocoloring layer is a photocoloring double layer. Support for the amendment to the double layer in the Applicants' U.S. Application is found on page 10 in the fourth full paragraph. The Applicants therefore respectfully submit that the Applicants' priority document specifically supports the subject matter of Claims 3 and 5, generally supports Claims 10 and 11, and JP '670 is not prior art with respect to those claims. Withdrawal of the rejection as it applies to Claims 3, 5, 10 and 11 is respectfully requested.

With respect to Claim 2, it has been amended to recite that the photocoloring layer is a photocoloring single layer. Support may be found at page 10, fourth full paragraph. The Applicants respectfully submit that such a structure is not disclosed, either explicitly or implicitly, by JP '670. It discloses a photosensitive resin printing plate which has photocoloring double layers, as opposed to the photocoloring single layer as recited in Claim 2. The Applicants therefore respectfully submit that Claims 2 and 4 are allowable over JP '670.

The Applicants acknowledge the rejection of Claims 2 – 6 and 9 – 11 under 35 U.S.C. §102 over Barzynski. The Applicants respectfully submit that those claims are allowable over Barzynski for the following reasons.

The Applicants have amended independent Claims 2 and 3 to recite the quantities of the photothermal-transforming substance, the thermal color former and the developer. Those contents are 1-40% by weight, 0.1-30% by weight and 0.1-50% by weight, respectively, based on the solid content of the photo color layer composition. Support may be found in the Applicant's specification in the paragraph spanning pages 12 and 13, as well as the following two paragraphs on page 13. These quantities of the components are not disclosed by Barzynski. Instead, Barzynski discloses the various of the components as part of his so-called "thermochromic system." Barzynski also mentions relative quantities of the absorbing organic compound in the activator relative to each other. However, there is no disclosure concerning the amount of the so-called "dyes and/or visible thermochromic indicator systems." The Applicant's Claims 2 and 3 recite the quantity of the thermal color former as being between 0.1 and 30% by weight based on the weight of the solid content of the photo coloring layer. Barzynski has no disclosure concerning the amount of its corresponding dyes. There is also no disclosure in the Barzynski examples. Accordingly, the Applicants respectfully submit that Barzynski utterly fails

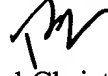
to provide disclosure concerning affirmatively claimed aspects of the invention as recited in claims 2 and 3. Withdrawal of the rejection as it applies to Claims 2-5 is therefore respectfully requested.

The Applicants have amended Claim 6 to incorporate the subject matter of Claim 9 and, accordingly, cancelled Claim 9. The difference between Barzynski and Claim 6 lies with the fact that the intermediate layer of Barzynski is made of thermoplastic resin. Such a thermoplastic resin is not developed because of the mask-forming layer which is stripped after exposure by UV rays. This is contrasted to Claim 6, wherein the substance transfer-preventing layer containing a binder resin selected from the group consisting of hydrophilic resins, hydrophobic resins and UV-curable resins is dissolved by the developer. Thus, the Applicants provide a dissolvable substance transfer-preventing layer, whereas Barzynski provides a thermoplastic resin that does not dissolve and is subsequently stripped away. The Applicants therefore respectfully submit that Claim 6 is allowable over Barzynski.

The Applicants respectfully submit that Claims 10 and 11 are also allowable over Barzynski. Those claims recite the development of the photosensitive resin layer, the photo-coloring layer and a substance diffusion-preventing layer, if present. As noted above with respect to Claim 6, Barzynski fails to disclose, either explicitly or implicitly, such development of the photosensitive layer and the photocoloring layer. Therefore, the Applicants respectfully submit that Barzynski is inapplicable to Claims 10 and 11. Withdrawal of the rejection of those claims is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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Partial translation of JP11/350793

[Document Name] Specification

[Title of the Invention] Photosensitive Resin Printing Plate
Material and Production Method for Photosensitive Resin Printing
Plate with Relief thereon

[Claims]

[Claim 1] A photosensitive resin printing plate material, which
comprises at least a support, a photosensitive resin layer, a
photothermal-transforming substance layer and a thermal
coloring layer.

[Claim 2] The photosensitive resin printing plate material as
claimed in claim 1, wherein the photothermal-transforming
substance layer is a layer having at least one dye selected from
cyanine dyes, polymethine dyes and naphthalocyanine dyes.

[Claim 3] The photosensitive resin printing plate material as
claimed in claim 1 or 2, wherein the thermal coloring layer that
contains a thermal color former is UV-transmissive before heated,
and is colored, after heated, to be substantially
UV-non-transmissive.

[Claim 4] The photosensitive resin printing plate material as
claimed in claim 3, wherein the thermal coloring layer contains
at least a thermal color former and a developer.

[Claim 5] The photosensitive resin printing plate material as